

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOHN STEVEN OLAUSEN,

Petitioner,

vs.

E. K. MCDANIEL,

Respondent.

Case No. 3:06-cv-00257-LRH-VPC

**ORDER**

In September 2006, Judge Edward C. Reed, Jr., entered his order dismissing this action upon the ground that it was a successive petition for a writ of habeas corpus in violation of 28 U.S.C. 2244(b). ECF No. 27. A certificate of appealability was denied by Judge Reed and the Ninth Circuit Court of Appeals also denied a certificate of appealability. On March 30, 2009, Judge Reed recused himself (ECF No. 31), and this action was thereafter reassigned to the undersigned on April 1, 2009 (ECF No. 32).

For more than six years, there was no further action in this case. The case was closed by the Clerk's Office and there was nothing pending before this court. On November 20, 2015, Petitioner filed a motion for recusal of district judge on the ground that the undersigned's son became Washoe County District Attorney in January 2015. Washoe County is where Petitioner's criminal proceedings occurred (ECF No. 33). On December 22, 2015, the court denied Petitioner's motion and denied a certificate of appealability (ECF No. 34).

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1 On January 19, 2016, Petitioner filed a motion for relief of judgment and orders (ECF No.  
2 35) and a renewed motion for recusal of district judge (ECF No. 36) upon substantially the same  
3 grounds raised in his recusal motion in ECF No. 33.

4 These motions are duplicative and, good cause appearing, ECF Nos. 35 and 36 are hereby  
5 denied upon the grounds set forth in the court's previous denial of December 22, 2015, in ECF No.  
6 34.

7 IT IS FURTHER ORDERED that a certificate of appealability is denied.

8 IT IS SO ORDERED.

9 DATED this 26th day of September, 2016

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12 LARRY R. HICKS  
13 UNITED STATES DISTRICT JUDGE  
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